

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
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EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

v.

WARFIELD-ROHR CASKET  
COMPANY, INC.,

Defendant.

CIVIL ACTION NO. WMN-01-2872

STIPULATION AND PROTECTIVE ORDER

It is hereby stipulated by the Plaintiff Equal Employment Opportunity Commission ("EEOC") and Defendant, Warfield-Rohr Casket Company, Inc. ("Defendant"), through their respective counsel that:

1. The documents which will be produced in response to Magistrate Judge Gauvey's Order, dated July 16, 2002, contain confidential and personal financial information regarding Mr. and Mrs. Kuehnl, and Mrs. Kuehnl's sister, Rosemary Cancila. Unless modified by Order of this Court, these documents will not be used by Defendant for any purpose other than those reasons stated in Defendant's motion to compel, specifically, for Defendant's mitigation defense and to prove Defendant's allegation that Mr. Kuehnl's upholstery hobby activity interfered with his work at Warfield-Rohr.
2. Defendant agrees to copy the responsive documents with markings designating them as "Confidential and for Attorneys' Eyes Only" and to return the originals to the EEOC within 10 days of receipt. Defendant shall maintain these documents in such a manner to ensure treatment consistent with this stipulation limiting disclosure.
3. Unless modified by Order of this Court, the contents of the documents are for review by Defendant's counsel only and will not be shown to Mr. Howard Ayres or disclosed to any third parties.

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4. To the extent that any documents which are marked as "Confidential and for Attorneys' Eyes Only" or any pleading, motion, or memorandum referring to them are filed with the Court, those materials and papers, or any portion thereof which discloses confidential information, shall be filed under seal by the filing party with the Clerk of the Court in an envelope marked "SEALED PURSUANT TO ORDER OF COURT DATED \_\_\_\_\_", together with a simultaneous motion pursuant to L.R. 104.13(c) (hereinafter, the "Interim Sealing Motion"). The Interim Sealing Motion shall be governed by L.R. 105.11.

5. Upon final determination of this action, including all appeals therefrom, counsel for Defendant agrees to make a good faith effort to return all copies of these documents marked as "Confidential and For Attorney's Eyes Only" upon request by the EEOC or Mr. Kuehnl excepting: (a) such documents or copies thereof as are necessary to allow counsel for Defendant to maintain a litigation file so long as reasonable measures are taken to comply with the limitations on disclosure as provided herein, and (b) such documents or copies thereof as become part of the trial record having been filed under seal, including those appended to pleadings, briefs, motions, and depositions, or admitted into evidence at trial. The Clerk of the Court may return to counsel for the parties, or destroy, any sealed materials at the end of the litigation, including any appeals.

6. The entry of this Order or the production of discovery materials hereunder shall in no way constitute a waiver of any objections or motions concerning the production thereof, their characterization as "Confidential and For Attorney's Eyes Only" and the admission of any evidence. All objections made to discovery are hereby preserved.


7. This stipulation shall not apply to information which is available to the public.

WE ASK FOR THIS:

FOR Defendant:


  
CHARLES S. HIRSCH.  
Ballard Spahr Andrews & Ingersoll  
300 East Lombard Street, 19<sup>th</sup> Flr.  
Baltimore, MD 21202-3268  
(410) 528-5600

FOR PLAINTIFF:

  
REGINA ANDREW  
Trial Attorney  
EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
Baltimore District Office  
10 S. Howard Street, 3rd Floor  
Baltimore, Maryland 21201

**SO ORDERED.**

Signed and entered this 24<sup>th</sup> day July, 2002.

  
Judge William M. Nickerson  
U. S. District Judge



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Baltimore District Office**

FILED  
U.S. DISTRICT COURT  
City Crescent Building  
10 South Howard Street, 3<sup>rd</sup> Floor  
Baltimore, MD 21201  
(410) 962-3932  
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July 22, 2002

BY \_\_\_\_\_ DEPUTY

Ms. Felicia C. Cannon, Clerk  
United States District Court  
for the District of Maryland  
U.S. Courthouse  
101 W. Lombard Street  
Baltimore, Maryland 21201

Re: EEOC v. Warfield-Rohr Casket Company, Inc., C.A. No. WMN-01-2872

Dear Madam:

Enclosed please find an original and two copies of a Stipulation and Protective Order to be filed in connection with the above captioned case.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Regina M. Andrew".

Regina M. Andrew  
Trial Attorney

Encl.

cc: Charles S. Hirsch, Esq. (w/encl.)